

## REMARKS

This is intended as a full and complete response to the Office Action dated August 2, 2004, having a shortened statutory period for response set to expire on November 2, 2004. Please reconsider the claims pending in the application for reasons discussed below.

The Examiner states that the IDS was not considered because the file number, SN. 09/835,912, printed on the 1449 PTO Form does not match the serial number of this Application. Applicants submit that the IDS was filed along with the patent application without any serial number information and that the incorrect serial number was placed thereon by USPTO receiving personnel. As requested by the Examiner, a replacement PTO Form 1149 updated with the correct serial number is attached. Applicants respectfully request Examiner's consideration of the IDS originally filed with the patent application in conjunction with the replacement PTO Form 1449.

Claims 1-38 are pending in the application. Claims 1, 4-21, 24 and 27-38 remain pending following entry of this response. Claims 1, 9-11, 16, 24 and 32-34 have been amended. Claims 2-3, 22-23 and 25-26 have been cancelled. Applicants submit that the amendments do not introduce new matter.

Claims 9-11 and 32-34 are objected to because of informalities. Claims 9-11 and 32-34 have been amended to correct minor editorial errors. Withdrawal of the objection is respectfully requested.

Claims 1-9, 11-13, 15, 16-17, 19-23, 24-32, 34-36 and 38 stand rejected under 35 U.S.C. 102(e) as being anticipated by *Quinlan et al.*, US Patent 6,748,365B1 (hereinafter *Quinlan*). Applicants respectfully traverse this rejection. *Quinlan* discloses a method and system for processing product marketing rebates utilizing electronic file transfer from a point-of-sale data processing and storage system. Applicants submit that *Quinlan* does not teach, show or suggest a rebate system or process in which a purchase identifier is created in response to a request from a store computer system, as claimed in original claims 3, 23 and 26, and incorporated into independent claims 1, 16 and 24, respectively. Therefore, Applicants submit that claims 1, 16 and 24, and those depending therefrom, are patentable over *Quinlan*.

PATENT

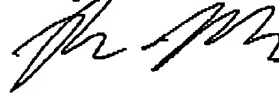
Atty. Dkt. No. ROC920010002US1

Claims 14, 18 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Quinlan* in view of *Bandera et al.* (hereinafter *Bandera*), US Patent 6,332,127B1. The references cited by the Examiner, alone or in combination, do not teach, show or suggest a rebate system or process in which a purchase identifier is created in response to a request from a store computer system. Therefore, Applicants submit that claims 14, 18 and 37 are patentable over *Quinlan* in view of *Bandera*.

Claims 10 and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Quinlan* in view of *Lemon*, US Patent 4,674,041. The references cited by the Examiner, alone or in combination, do not teach, show or suggest a rebate system or process in which a purchase identifier is created in response to a request from a store computer system. Therefore, Applicants submit that claims 10 and 33 are patentable over *Quinlan* in view of *Lemon*.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



---

Randol Read  
Registration No. 43,876  
MOSER, PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicants